

MINUTES
YORK COUNTY PLANNING COMMISSION

Work Session
York Hall Board Meeting Room
April 25, 2001
7:00 PM

MEMBERS

Spencer W. Semmes, Chair
Andrew A. Simasek, Vice Chair
Robert E. Beil, Jr.
Robert D. Heavner
Michael H. Hendricks
Thomas G. Shepperd
Ann F. White

CALL TO ORDER

Chair Spencer Semmes called the work session to order at 7:00 p.m. All of the members were present except Mr. Heavner. Staff members present were James E. Barnett, Jr., J. Mark Carter, Timothy C. Cross, AICP, Michael S. King, AICP, Olivia D. Wilkinson, Joseph A. Sisler, P. E., and Anna Drake.

INTRODUCTION

Mr. Tim Cross explained that the purpose of the work session is to review a series of proposed amendments to the Comprehensive Plan. He stated that the amendments are needed to achieve consistency with the Chesapeake Bay Preservation Act and Regulations. He distributed copies of an undated draft report entitled, Charting the Course for the Chesapeake Bay, which contains the proposed amendments and three detailed technical reports prepared by Ms. Drake. He briefly reviewed the history of the Chesapeake Bay Preservation Act and the York County Comprehensive Plan, Charting the Course to 2010, adopted in 1991 and amended in 1999 with the adoption of Charting the Course to 2015. He added that the County has a deadline of June 30, 2001 to adopt an amended Plan that fully complies with the requirements of the Chesapeake Bay Preservation Act. Mr. Cross introduced Mr. Joe Sisler and Ms. Anna Drake of the York County Department of Environmental and Development Services. Mr. Sisler gave a slide presentation detailing the major elements of Ms. Drake's reports addressing shoreline and streambank erosion, wetlands, protection of potable water, regulation of surface and ground water, and public and private access to waterfront areas.

DISCUSSION

Areas of discussion included:

- The County plan to add two public restrooms and a pumping station in place of parking space at the Rodgers A. Smith boat ramp in the Tabb area.
- The State goal to increase by 30% the number of community piers to provide more waterfront access to citizens. Community piers generate more citizen complaints about noise and debris than private piers do.

- Protecting ground and surface water as a higher state priority than regulating piers.
- Inclusion of language (Community Facilities, Parks and Recreation, 12.2) to "develop a master plan [for New Quarter Park] that is harmonious with the goals and objectives of the Chesapeake Bay Preservation Act."
- Education of homeowners' associations about their role in the maintenance of their stormwater retention and detention ponds.

Mr. Barnett offered to find out what, if anything, the County could do to regulate piers.

Mr. Cross noted that a public hearing for this application would be conducted on May 9, 2001. The discussion turned to public notification of the hearing and how to clearly describe the proposed revisions. Mr. Semmes recommended utilizing the Planning Division web site in addition to the usual newspaper notices and Channel 46. Mr. Semmes thought that, because it is a complex issue, staff should limit its introductory remarks on May 9 to a concise explanation of the changes with emphasis on the requirement to bring the Comprehensive Plan into full compliance with the Chesapeake Bay Act.

The discussion then turned to the lack of a source of public water within the County. Mr. Sisler explained that because there is nowhere in the County for a public reservoir, denial by the U. S. Army Corps of Engineers of the King William Reservoir permit would have a great impact on the County. Mr. Cross referred to a previously-distributed draft letter from the Commission to the Corps of Engineers to support Newport News Waterworks' application for the King William Reservoir as a long-term water source for the area's projected population growth. Mr. Shepperd questioned the necessity for the Commission to register its support. Others suggested that, because the County was a member of the Regional Raw Water Study Group since 1987 that led Newport News Waterworks to apply for a permit and the County is a customer of Newport News Waterworks as its provider of public water, the County should support the application.

Mr. Hendricks moved approval for the letter to be signed by Chair Semmes. Mr. Shepperd moved to table Mr. Hendricks' motion until May 9.

The motion to table was defeated by a vote of one yes (Shepperd) and five noes. The motion to approve the letter passed unanimously (6:0, Mr. Heavner absent).

OLD BUSINESS

Mr. Carter distributed a memorandum, the subject of which was Application No. ZT-56-01, Marinas, for review before the work session May 2nd. He said a special public hearing is scheduled June 6th for this application in order to meet the timetable for forwarding a recommendation to the Board of Supervisors.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

SUBMITTED: _____/s/_____
Phyllis P. Liscum, Secretary

APPROVED: _____/s/_____
Spencer W. Semmes, Chair

DATE: May 9, 2001

Excerpts
Planning Commission Minutes
May 9, 2001

Application No. CP-7-01, York County Planning Commission: Request to amend Charting the Course to 2015: The County of York Comprehensive Plan, for consistency with the Chesapeake Bay Preservation Act. Proposed amendments pertain to water quality and groundwater contamination (including underground storage tanks), shoreline access, shoreline and stream bank erosion, and appropriate density of docks and piers.

Mr. Tim Cross made a slide presentation that included a summary of the staff memorandum to the Commission dated May 2, 2001. Mr. Cross noted that none of the proposed Comprehensive Plan amendments reflects any significant policy changes, with one possible exception, which is a proposal to require existing households to connect to public water in the event of private well failure. He added that and the remainder of the document provides increased detail and recommendations for implementation. He stated that both the Zoning and Subdivision Ordinances are already consistent with the Chesapeake Bay Preservation Act. (A copy of Mr. Cross's slide presentation is attached to the minutes of record.)

Mr. Cross noted one item for the Commission's consideration. Proposed Environmental Strategy 2.4 on page 11 of proposed Resolution PC01-18 refers to providing a "meaningful Bay or stream outdoor experience, such as a field trip" for each public school student beginning with the class of 2005. Mr. Cross stated that representatives of the School Division have expressed concern about this item, which would add to an instruction schedule that, according to school officials, is already full.

Mr. Cross expressed appreciation to Anna Drake of the Department of Environmental and Development Services for her researching and writing this report. He also thanked Joe Sisler of the same Department and noted that Mr. Sisler was available to answer questions.

Chair Semmes opened the public hearing. Hearing no one, he closed the public hearing.

Mr. Semmes asked if there is a timetable for adopting a Stormwater Management Ordinance, as proposed in the draft amendments. Mr. Sisler said it is targeted for completion by December 2001.

Mr. Semmes asked if increased strategies will be required for homeowners associations' maintenance of their retention and detention ponds. Mr. Cross said there are no additional maintenance requirements in the Comprehensive Plan amendments, other than a proposed re-inspection program. Mr. Sisler agreed that the Comprehensive Plan will not require such changes but future monitoring of BMPs as part of the EPA's NPDES Phase II program will require more maintenance inspections by EDS staff. In answer to Mr. Hendricks, Mr. Sisler said that more resources will be needed to implement the maintenance inspections and the Board will determine how they are funded.

Mrs. White suggested revising the language proposed in Environmental Strategy 2.4, referenced above, to "...encourage a meaningful Bay or outdoor experience." Following brief discussion it was agreed to leave it as it is proposed by staff.

Mr. Hendricks moved adoption of proposed Resolution PC01-18 to recommend approval. It passed by a roll call vote of 7:0.